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Attorney for Defendant,
Diana Cervantes

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:21-cr-00109-DAD
)	
Plaintiff,)	STIPULATION AND ORDER
)	CONTINUING THE JUDGMENT AND
vs.)	SENTENCING OF MS. CERVANTES, AND
)	THE STATUS CONFERENCE FOR MR.
DIANA CERVANTES and VICTOR)	VELAZQUEZ AND EXCLUDING TIME
)	UNDER THE SPEEDY TRIAL ACT;
MANUEL VELAZQUEZ,)	FINDINGS AND ORDER
)	
Defendants.)	

STIPULATION

The government, on behalf of Assistant United States Attorney Emily Sauvageau, Ms. Cervantes, represented by attorney Timothy E. Warriner, and Mr. Velazquez, represented by attorney Timothy Zindel, hereby stipulate and agree to the following:

1. The date for Ms. Cervantes' judgment and sentencing be continued to August 25, 2025, at 9:30 a.m.. Defense counsel for Ms. Cervantes was recently assigned to this matter and is requesting additional time to review the discovery materials and to prepare and obtain materials related to the client's sentencing proceeding.
2. Mr. Velazquez's matter will also be continued to August 25, 2025, for a status conference, and time will be excluded from June 9, 2025, to August 25, 2025, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(ii), (iv) (Local Codes T2 and T4).

- a. The government has produced over 100,000 pages of discovery and voluminous audio and audio/video discovery, including interceptions over multiple wiretapped telephones as well as recordings of controlled purchases of narcotics. Many of the recordings are in Spanish. Additionally, this case is particularly complex as it concerns twelve charged defendants.
- b. Although it is anticipated that the government will move to dismiss the case against Mr. Velazquez once Ms. Cervantes is sentenced, if the case were to proceed to trial, counsel would need additional time to prepare.
- c. Consequently, counsel for Mr. Velazquez believes that the failure to grant the above requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
- d. The government does not object to the continuance and to the proposed exclusion of time.
- e. Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interests of the public and Mr. Vellazquez in a trial within the time prescribed by the Speedy Trial Act.
- f. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*, within which trial must commence, the time period of June 9, 2025, to August 25, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(ii), (iv) (Local Codes T2 and T4) because it results from a continuance granted by the court at defendant's request on the basis of the court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

g. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

h. A final PSR has been filed in this matter. The parties request that sentencing memoranda be filed on or before August 18, 2025.

IT IS SO STIPULATED.

DATED: May 30, 2025

/s/ Timothy E. Warriner, Attorney for defendant,
Diana Cervantes

DATED: May 30, 2025

/s/ Timothy Zindel, Attorney for defendant, Victor
Velazquez

DATED: May 30, 2025

/s/ Robert Abendroth, Assistant United States
Attorney, for the government

ORDER

Pursuant to the stipulation of the parties and good cause appearing, the judgment and sentencing hearing for Diana Cervantes previously scheduled for June 9, 2025, is continued to August 25, 2025, at 9:30 a.m. The status conference for Victor Velazquez previously scheduled for June 9, 2025, is also continued to August 25, 2025, at 9:30 a.m., and time is excluded between June 9, 2025, and August 25, 2025, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(ii), (iv) (Local Codes T2 and T4). All sentencing memoranda are to be filed on or by August 18, 2025.

DATED: June 2, 2025.



SENIOR UNITED STATES DISTRICT JUDGE